

CIVIL RIGHTS COMPLAINT PURSUANT TO 42 U.S.C. § 1983

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

Willie James Terrell, Jr. #0610258 ID

(Enter above the full name and prisoner identification number of the plaintiff, GDC number if a state prisoner.)

JUL 22 2010

JAMES N. HATTEN, CLERK
By:

Deputy Clerk

TWT

James N. Hatten

--VS--

Atlanta Judicial Circuit & Abernathy
City of Atlanta

Georgia Public Defender Standards Council

(Enter above the full name of the defendant(s).)

1:10-cv-2315

I. Previous Lawsuits

- A. Have you filed other lawsuits in federal court while incarcerated in any institution?

Yes () No ()

- B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s): N/A

Defendant(s): N/A

2. Court (name the district):

N/A

3. Docket Number:

N/A

I. Previous Lawsuits (Cont'd)

4. Name of judge to whom case was assigned: W.A.

5. Did the previous case involve the same facts? N

Yes () No ()

6. Disposition (Was the case dismissed? Was it appealed? Is it still pending?):

7. Approximate date of filing lawsuit: 5/1

8. Approximate date of disposition: N/A

II. Exhaustion of Administrative Remedies

Pursuant to 28 U.S.C. § 1997e(a), no prisoner civil rights action shall be brought in federal court until all available administrative remedies are exhausted. Exhaustion of administrative remedies is a precondition to suit, and the prisoner plaintiff must establish that he has exhausted the entire institutional grievance procedure in order to state a claim for relief.

A. Place of Present Confinement: Pulaski County Jail

B. Is there a prisoner grievance procedure in this institution?

Yes () No ()

C. Did you present the facts relating to your complaint under the institution's grievance procedure?

Yes () No ()

D. If your answer is YES:

1. What steps did you take and what were the results?

1

2. If your answer is NO, explain why not: Not applicable

ANSWER

III. Parties (Cont'd)

Address(es): 901 Rice St. N.W.
Atlanta, Ga. 30318

(In item B below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Do the same for each additional defendant, if any.)

B. Defendant(s): Anna E. Green (Cross), Louise Cross, Linda Duni Koshi,
Michael Green, Christopher Quinn, Jack Barrs, H. Fredrick,
Brumfield & Cheryl B. Abernathy

Employed as Fulton County Assistant District Attorney (ADA);
(P.D./M.S) mitigation Specialist.

at 136 Pryor St. S.W., 3rd & 7th Floor, Atlanta, Ga. 30303;
P.O. Box 694 Decatur, Ga. 30074 Notary of DeKalb County Ga.

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

See Also Attachments 2007-2008 all Notes included ONGOING!

1) 12th February 2007 Cheryl B. Abernathy P.D. did attempt to have the plaintiff authorize his military records to her by deceit means.

Mrs. C.B. Abernathy told her client the plaintiff to write his name on the blank line and sign the document after providing his social.

2.) Plaintiff forbid P.D./M.S Mrs. Cheryl B. Abernathy (Mrs./m.s. Abernathy) from seeking his service records beyond the medical file orally AND later in writing.

3). Ms. Abernathy tried in convenience the plaintiff to allow her access contrary to his consent of military records while under duress.
Ms. Abernathy tried to scare the plaintiff into allowing her to have free access to all military records and DD 214. However the plaintiff refused and stopped writing his social security number and demanded all documents be fully signed, so that he could draw a line through the words military records.

IV. Statement of Claim (Cont'd)

- 9.) MS. Abernathy stated that she was appointed by the Court and friends with the Judge. MS. Abernathy went on to say the the courts need this information and later said if the plaintiff did not cooperate that the state would retaliate and start harassing the plaintiff's father. This was a direct threat of violence.
- 10.) On May 2007 MS. Abernathy return to visitation area stating she would agree to only seek the plaintiff's military medical; psychological and educational records. Using a S.F. Form 180 as required MS. Abernathy knew this was the only way to obtain this information. However again she placed her Client duress through scare tactics while assuring the plaintiff that only the hand written information would be sought.
- 11.) MS. Abernathy later listed herself as DR. Cheryl Abernathy the Legal Representative and not as PhD/MS Mental Health Counselor or Psychologist to give the impression that she was in fact Legal Counselor or Attorney presenting the desires of her Client and not her own. The false misrepresentation was a deceptive tactic to gain access to the plaintiff's military records at the behest of the state or interest of the above mentioned defendants to invade the plaintiff's right of privacy; by using harassing tactics that the defendants knew a poorly educated black male from a lower income background would not be able to mentally, physically, emotional or financially over come alone and especially after losing liberty interest through bogus warrants and community abandonment cause by untrue defamation of character.
- 12.) Between April & June 2008 MS. Abernathy stated that Schwall was going to have IntelSis Inter

V. Relief

State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.

- 1) \$250,000 per defendant involvement in harassing the plaintiff through means of abusing Law Enforcement powers in violation of Oath of Office by oppression, ethnicity and racial animus against the plaintiff.
- 2) \$250,000 for each defendant for emotional distress they cause the plaintiff in their conspiracy.
- 3) \$250,000 to be applied in each category of harm that each plain and blaten injury that was suffered by the plaintiff by each defendant cause him through their acts of conspiracy as well as their individual acts of self-willed infringement.
- 4.) \$250,000 against each agency involved for the actions take by

V. **Relief (Cont'd)**

the associated individual member(s) regardless of whether or not the agent or agency is listed. Each person involved in wrong-doings knows of his or her own culpability or should have known and deficient training makes the agency(s) liable as would poor ethics or hiring up individual with a pattern history of poorly gross abuse of authority.

S.) \$250,000.00 per year of liberty interest loss from society unduly cause by
false [REDACTED] imprisonment utilized to keep the plaintiff trained from constitutional
-2. vindication in furtherance of conceding the harm done.

Signed this 16 day of December, 2008

Willie James Tamm, Jr.
Signature of Plaintiff

STATE OF Georgia
COUNTY (CITY) OF Fulton County (AH)

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED ON Notary Public - Fulton County, Georgia
My Commission # 17, 2012
(Date)

Willie James Tamm, Jr.
Signature of Plaintiff

12-16-08

Dot N. McElroy